



TESTIMONY OF JODI SMITH
Commissioner of University and School Lands
North Dakota Department of Trust Lands

Budget Section Committee
June 22, 2021

Chairman Vigesaa and members of the Budget Section Committee, I am Jodi Smith, Commissioner of University and School Lands, on behalf of the Department of Trust Lands. I am here to provide a list of State agency unclaimed property that may be released from claim eligibility in accordance with N.D.C.C. § 47-30.1-24.1, which was enacted in 2003 and reads as follows:

Claims by state agencies - Budget section approval and report. Within one year of receipt of state agency property, the administrator shall notify the agency by certified mail. The commissioner of university and school lands shall present a report to the budget section identifying every state agency that has not submitted a claim for property belonging to that agency within one year of the receipt of the date of the certified mail receipt. Upon approval of the budget section, the agency relinquishes its right to recover its property. Any request considered by the budget section must comply with section 54-35-02.9.

In accordance with this statute, the Unclaimed Property Division completed a certified mailing to State agency property holders in June of 2020. Today's objective is to:

- 1) Present a listing of property held in the names of the State agencies that have not claimed their property and a note of those agencies that did complete the claim process; and
- 2) Respectfully request that the Budget Section:
 - a. Designate the unclaimed property that has not yet been claimed as ineligible for claim by the respective State agencies under N.D.C.C. § 47-30.1-24.1, with said agencies relinquishing any right to recover the property; and
 - b. Grant approval to transfer the property to the Common Schools Trust Fund.

Summary of State Agency Claim Mailings (2019 Report Year)

Total State Agencies with property	<u>20</u>
Agencies non-responsive to mailing	13
Agencies relinquishing property rights	6
Agencies claiming property	1
Amount to be relinquished	\$20,723.22
Amount claimed	\$17.14
Total value of agency property	<u>\$20,740.36</u>

**Request for Relinquishment of the following Properties
 (Claim Expiration - May 27, 2021)**

<u>Non-responsive agencies:</u>	<u>Claim Value</u>
Bank of North Dakota	\$85.00
Dickinson State University	\$246.88
Job Service of North Dakota	\$5,615.03
Minot State University	\$4.48
ND Office of Management and Budget	\$2,535.27
ND Dept of Health	\$348.00
ND Dept of Human Services	\$1,092.04
ND Housing Finance	\$0.39
ND Insurance Dept	\$85.00
ND Secretary of State	\$539.00
ND State College of Science	\$10.00
ND State University	\$800.00
University of North Dakota	\$890.94
 <u>Agencies relinquishing ownership:</u>	
ND Attorney General	\$240.00
ND Dept of Transportation	\$534.82
ND State Land Dept	\$50.00
ND Tax Dept	\$50.00
ND Workforce Safety and Insurance	\$7,596.07
ND Securities Dept	\$0.30
Relinquishment Total	<hr/> \$20,723.22 <hr/>
 <u>Agencies claiming property:</u>	
Williston State College	<u>Cumulative Property Value</u> \$17.14
 Total Value of Agency Property	 <hr/> \$20,740.36 <hr/>

During the Sixty-seventh Legislative Assembly, certain changes were made to the North Dakota Unclaimed Property law with the passage of Senate Bill 2048. That bill repealed the Unclaimed Property law found in N.D.C.C. ch. 47-30.1, in its entirety, and created and enacted the Revised Uniform Unclaimed Property Act (RUUPA) as N.D.C.C. ch. 47-30.2.

The requirement we are discussing today is not included in RUUPA, N.D.C.C. ch. 47-30.2. Effective August 1, 2021, property owned by State Agencies will be treated the same as all other unclaimed property is treated. Under RUUPA, property owned by State Agencies will be advertised as available to be claimed by the individual agency. It will then be the

responsibility of the agency to monitor whether any Unclaimed Property is being held for the agency and submit a claim for that property.

One final certified mailing was sent on June 11, 2021; therefore, 2022 will be the last year the Budget Section will be required to act on this matter. I would be happy to answer any questions.

Jodi A. Smith COMMISSIONER

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